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FACSIMILE COVER SHEET

Deliver to: Joseph G. Ustaris, USPTO Art Group: - 2617
Facsimile No.: (571) 273-8300 Date: December 20, 2006
From: Eric T. King, Reg. No. 44,188
Our Docket No.: 5575P004 /K35A0807 Number of pages 13 including this sheet.
Application No.: 09/872,197 Filing Date: 5/31/2001
Docket Due Date(s): 12/31/2006 /1/31/2007

Enclosed are the following documents:

<input checked="" type="checkbox"/> Amendment: <u>After Final</u> (<u>9</u> pgs)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Appeal Brief (___ pgs)	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Application: _____ (_____ pgs) w/cover & abstract)	<input type="checkbox"/> Petition for: _____
<input type="checkbox"/> Assignment & Cover Sheet (___pgs)	<input type="checkbox"/> Request for Continued Examination (RCE)
<input checked="" type="checkbox"/> Certificate of <u>Facsimile</u>	<input type="checkbox"/> Reply Brief (___ pgs)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)
<input type="checkbox"/> Declaration & POA (___ pgs)	<input type="checkbox"/> Request to Rescind Previous Nonpublication Request
<input type="checkbox"/> Drawings: ___ sheets, ___ figures	<input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter
<input type="checkbox"/> Extension of Time: _____	<input type="checkbox"/> Response to Written Opinion (___ pgs)
<input checked="" type="checkbox"/> Fee Transmittal (In duplicate)	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> IDS & PTO/SB/08 (___ pgs)	<input type="checkbox"/> Transmittal of Publication Fee Due
<input type="checkbox"/> Other _____	<input checked="" type="checkbox"/> Transmittal Letter

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Nirquaga 12/20/2006
Nicole Erquiaga Date

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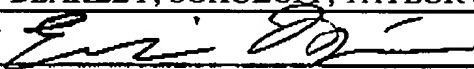
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application No.	09/872,197
		Filing Date	May 31, 2001
		First Named Inventor	L. Jeffrey Kapner, III
		Art Unit	2617
		Examiner Name	Joseph G. Ustaris
Total Number of Pages in This Submission	12	Attorney Docket Number	K35A0807

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 60px; width: 100%;"></div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Eric T. King, Reg. No. 44,188 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	December 20, 2006

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Typed or printed name	Nicole Erquiaga		
Signature		Date	December 20, 2006

Based on PTO/SB/21 (09-04) as modified by Blakely, Sokoloff, Taylor & Zafman (ndc) 10/12/2006
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**FEE TRANSMITTAL
for FY 2006**

Potent fees are subject to annual revision.

Complete if Known

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

0.00

Application Number 09/872,197
 Filing Date May 31, 2001
 First Named Inventor L. Jeffrey Kapner, III
 Examiner Name Joseph G. Ustaris
 Art Unit 2617
 Attorney Docket No. K35A0807

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify):
☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. ☒ Credit any overpayments

FEE CALCULATION**1. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
24	0	50.00	\$0.00
3	0	200.00	\$0.00

Multiple Dependent

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
1202	2202	25		Claims in excess of 20
1201	2201	100		Independent claims in excess of 3
1203	2203	180		Multiple Dependent claim, if not paid
1204	2204	396		**Reissue independent claims over original patent
1205	2205	150		**Reissue claims in excess of 20 and over original patent

SUBTOTAL (1)

(\$)

0.00

*or number previously paid, if greater, For Reissues, see below

2. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
1051	2051	65		Surcharge - late filing fee or oath
1052	2052	25		Surcharge - late provisional filing fee or cover sheet
2053	2053	130		Non-English specification
1251	2251	60		Extension for reply within first month
1252	2252	275		Extension for reply within second month
1253	2253	810		Extension for reply within third month
1254	2254	785		Extension for reply within fourth month
1255	2255	1,080		Extension for reply within fifth month
1401	2401	260		Notice of Appeal
1402	2402	260		Filing a brief in support of an appeal
1403	2403	500		Request for oral hearing
1451	2451	1,510		Petition to institute a public use proceeding
1480	2480	130		Petitions to the Commissioner
1807	1807	60		Processing fee under 37 CFR 1.17(a)
1808	1808	180		Submission of Information Disclosure Stmt
1809	1809	395		Filing a submission after final rejection (37 CFR § 1.129(a))
1810	2810	395		For each additional invention to be examined (37 CFR § 1.129(b))

Other fee (specify)

SUBTOTAL (2)

(\$)

Fee Paid

SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Eric T. King

Registration No.
(Attorney/Agent)

44,188

Telephone

(714) 557-3800

Signature

Date

12/20/06

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 12/15/2004.
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**FEE TRANSMITTAL
for FY 2006**

Patent fees are subject to annual revision.

Complete if Known

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

0.00

Application Number	09/872,197
Filing Date	May 31, 2001
First Named Inventor	L. Jeffrey Kapner, III
Examiner Name	Joseph G. Ustaris
Art Unit	2617
Attorney Docket No.	K35A0807

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. ☒ Credit any overpayments

FEE CALCULATION**1. EXTRA CLAIM FEES**

Total Claims	Excess Claims	Fee from below	Fee Paid
24	0	50.00	\$0.00
3	0	200.00	\$0.00

Multiple Dependent

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
1202	2202	50	25	Claims in excess of 20
1201	2201	200	100	Independent claims in excess of 3
1203	2203	360	180	Multiple Dependent claim, if not paid
1204	2204	790	395	**Reissue independent claims over original patent
1205	2205	300	150	**Reissue claims in excess of 20 and over original patent

*or number previously paid, if greater. For Reissues, see below

SUBTOTAL (1) (\$)

0.00

2. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
1051	2051	130	65	Surcharge - late filing fee or oath
1052	2052	50	25	Surcharge - late provisional filing fee or cover sheet
2053	2053	130	130	Non-English specification
1251	2251	120	60	Extension for reply within first month
1252	2252	450	225	Extension for reply within second month
1253	2253	1,020	510	Extension for reply within third month
1254	2254	1,590	795	Extension for reply within fourth month
1255	2255	2,160	1,080	Extension for reply within fifth month
1401	2401	600	250	Notice of Appeal
1402	2402	600	250	Filing a brief in support of an appeal
1403	2403	1,000	500	Request for oral hearing
1451	2451	1,510	1,510	Petition to institute a public use proceeding
1480	2480	130	130	Petitions to the Commissioner
1807	1807	50	50	Processing fee under 37 CFR 1.17(a)
1808	1808	180	180	Submission of Information Disclosure Sheet
1809	1809	790	395	Filing a submission after final rejection (37 CFR § 1.129(b))
1810	2810	790	395	For each additional invention to be examined (37 CFR § 1.129(b))

Other fee (specify)

SUBTOTAL (2)

(\$)

Fee Paid

SUBMITTED BYName (Print/Type) Eric T. KingRegistration No.
(Attorney/Agent)

44,188

Complete (if applicable)

Telephone

(714) 557-3800

Signature

Date

12/20/06

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 12/15/2004.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Appl. No. 09/872,197
Amdt. Dated 12/20/2006
Reply to Office action of October 31, 2006

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**RESPONSE UNDER 37 CFR § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2623**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	:	09/872,197	Confirmation No.	1905
Applicant	:	L. Jeffrey Kapner III		
Filed	:	5/31/2001		
TC/A.U.	:	2623		
Examiner	:	Joseph G. Ustaris		
Docket No.	:	K35A0807		
Customer No.	:	8791		

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Commissioner for Patents
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Alexandria VA 22313-1450

AMENDMENT UNDER 37 CFR § 1.116

Sir:

In response to the Final Office Action of October 31, 2006, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

K35A0807

Page 1 of 9

ETK/npc